

DIRECTORATE-GENERAL FOR EXTERNAL POLICIES
POLICY DEPARTMENT



**The EU's
Market Access Strategy:
does it reach
its main goals?**

INTA



STUDY

The EU's Market Access Strategy: does it reach its main goals?

ABSTRACT

The EU Market Access Strategy (MAS) and associated Market Access Partnership (MAP) is a EU trade policy operational instrument designed to identify and remove market access restrictions confronting EU firms in third country export markets. Since the 2008 financial crisis, there has been a steady increase in the number of trade restricting measures imposed by EU trading partners. The MAS is a key tool through which the EU seeks to work with third countries to prevent, remove and reduce market access barriers. There is broad support for the MAS among stakeholders who are aware of the mechanism and a virtual consensus that greater emphasis should be given by the European Union to identifying and removing barriers to trade and investment in third countries. Two types of challenges confront the MAS and, as a result, its effectiveness. One centres on the identification of protectionist measures and the ability of the EU to induce policy changes by trading partners. The other is to improve awareness among EU exporters of the existence of the MAP and leveraging the tools that are available to address market access restrictions. The European Parliament can contribute to addressing these challenges by engaging with national parliaments and constituencies on the existence and utility of the MAS and in advocating that market access issues be prioritised in the activities of the European Commission. The European Parliament can also play an increased role in helping to achieve the goals of the MAS and support EU exports by raising market access issues when they engage with third country counterparts.

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Introduction

Trade and investment policies have become much less restrictive in recent decades in most countries around the world. Average tariffs have fallen to the 5-10 percent range in most of the countries with which the EU trade, and the prevalence of quantitative restrictions to trade has diminished substantially compared to the 1980s. In part the decline in trade barriers has been driven by trade negotiations and agreements, both bilateral (regional) and multilateral. However, since the 2008 financial crisis, there has been a **steady increase in the number of trade restricting measures**. The extent to which countries have imposed such measures varies widely, as does the type of instruments that are used. The 2017 Trade and Investment Barriers Report (EC, 2017) notes there are a total of 372 trade and investment barriers that have been registered in the Commission's market access database (MADB) following complaints by EU companies and business associations, 36 of which were newly included in 2016. This is only a subset of much larger number of potentially protectionist measures adopted by trading partners since 2008 – the stock of trade distorting measures has been rising steadily, reflecting more measures being put in place than are removed in any given year.¹

As discussed in this report, comparisons between market access barriers identified through the EU Market Access Strategy (MAS)/Market Access Partnership (MAP) and independent monitoring efforts of protectionist trends and actions potentially affecting EU exporters reveal large differences. The various extant mechanisms and initiatives to monitor external trade policies of countries and protectionist trends differ in terms of scope, objectives, approaches and resources, in part reflecting that they have different "clients" **The MAS/MAP focuses on addressing specific barriers to trade that are highlighted to the European Commission by EU economic operators**. Other monitoring exercises such as the regular Trade Policy Review reports of the WTO and the Global Trade Alert (discussed below) are oriented more towards establishing a comprehensive picture of trade policy-related trends, including the use of measures that are permitted under trade agreement and WTO rules and measures that potentially affect many export sectors as opposed to specific industries or firms. The MAS/MAP is therefore part of a broader structure of monitoring of trade policy measures and this should be taken into account in assessing its performance. From the wider perspective of the interests of the EU as a whole, it is important that the bottom-up process of prioritisation of market access barriers based on business inputs, which is the core operating modality of the MAS/MAP, is complemented by a parallel focus on monitoring and assessment of the negative effects of protectionist measures that are not flagged by the MAS.

Predictable and open access to markets is of great importance to European companies, especially firms that are part of international value chains and that employ "just-in-time" production methods. This is of particular importance to smaller companies who have less capacity to monitor or respond to changes in policies in export markets and to companies with an interest in selling to markets where it is difficult to determine what requirements apply and how to satisfy them. **The EU has a variety of instruments through which it can enhance market access conditions for EU products**, including a) negotiation and implementation of bilateral or regional free trade agreements and multilateral disciplines on trade policies in the WTO, b) the pursuit of international standardisation in specialised fora with a view to reduce the extent of differences in regulatory requirements across countries, and c) the provision of technical and financial assistance to improve the transparency and administration

¹ EC (2016) reported a total of 879 measures potentially affecting EU exporters in 2015. The Global Trade Alert reports an even larger number of measures that potentially affect EU exports. Germany alone was affected by some 3,000 potentially trade-distorting measures at the end of in 2016. At: http://www.globaltradealert.org/global_dynamics/flow_all.

of trade policies in partner countries. Monitoring and surveillance of foreign trade practices is a necessary input into the process of improving access to export markets for EU firms.

This report discusses the EU's Market Access Strategy (MAS) – its design, operation and achievements in identifying and removing market access restrictions confronting EU firms in export markets. It has been prepared with the aim to help the European Parliament Committee on International Trade (INTA) to better understand the functioning of the current EU's market access strategy and **identify options for INTA to be able to contribute to the main aims of this tool**. The report is based on a mix of secondary materials and desk research, interviews with participants in the market access partnership and an on-line survey of stakeholders. The interviews spanned a sample of EU member-state officials, representing both large and small countries; EU officials; representatives of business associations (encompassing both large corporations and SMEs, both at EU and Member-states level) and individual companies that export to third countries. As noted subsequently, the findings and conclusions drawn from the survey are indicative in nature as the survey was not undertaken for a representative sample of the universe of EU economic operators that engage in trade.²

The survey and interviews addressed a number of questions, including perceptions regarding the effectiveness and relevance of the MAS and its associated Market Access Partnership (MAP). Of specific interest in the survey and the interviews were perceptions regarding the salience of the strategy and partnership for smaller companies as opposed to large companies; whether the strategy appears to be more effective in some regions of the world or types of countries than for others; factors that impede efforts to remove identified market access barriers and suggestions regarding measures that might enhance the effectiveness of the strategy.

The report is structured as follows. **Section 1 presents the EU's Market Access Strategy** and briefly describes its evolution over time since it was first developed in 1996, including the development and functioning of the Market Access Database and Market Access Partnership between the European Commission, the Member States and EU businesses. This section also discusses briefly the 'enhanced partnership' that is being developed. This provides for a greater focus on enforcement of the EU's trade agreements and a greater role by the European Parliament in the implementation of the Market Access Strategy. **Section 2 discusses the operation of the MAS and the results** that have been achieved in identifying and removing market access barriers in export markets. **Section 3 reflects on the challenges that confront efforts to safeguard and enhance market access for EU exporters**. These are of two types: external and internal. The first category of challenges encompasses identification and removal of protectionist measures adopted by trading partners; the second pertains to the organisation and implementation of efforts to address market access restrictions at both the EU and Member State levels. **Section 4 presents conclusions and recommendations** for measures to improve the functioning of the MAS/MAP within the framework of the 'enhanced partnership'.

² Establishing a sampling frame that would be representative of the universe of EU stakeholders with an interest in market access would require significantly greater resources and time than was available.

1 The EU Market Access Strategy

The European Commission launched the MAS some 20 years ago, in 1996 (EC, 1996). The main aim is to **facilitate EU exports** by enforcing multilateral (WTO) and bilateral trade agreements; taking action to provide EU exporters with **information on market access conditions**/requirements that apply in in partner countries; and **addressing market access restricting policies** that impede EU exports. The strategy recognises that achieving significant increases in market access is necessarily a long-term process; that removing obstacles to trade and investment requires both a clear analysis of EU priorities and working closely with its trading partners, and that efforts should concentrate on actions which respond to the demands and priorities of industry and result in tangible and direct benefits for EU exporters and investors (EC, 1996, p. 2). To implement the MAS, a Market Access Unit was created in DG Trade, which inter alia was made responsible for a Market Access Database (MADB) – a repository of trade restricting measures notified to DG Trade.³

In 2007, as part of the implementation of the 2006 Global Europe strategy (EC, 2006), a stronger market access partnership (MAP) between the Commission, Member States, and business was established (EC, 2007). This laid out a **results-oriented approach** that focuses on concrete problems that EU businesses face in third country markets, as opposed to the approach that had been pursued under the 1995 Trade Barriers Regulation (TBR), and the earlier New Commercial Policy Instrument (Bronckers and McNelis, 2001; Evenett, 2006). EC (2007) noted that market access barriers often take the form of regulatory measures and administrative practices that are inconsistent with international rules and none transparent. A basic premise underlying the MAP was that **better coordination between Member States, businesses and the Commission** can make it easier to detect, analyse, assess and eliminate market access barriers. The MAS complements the EU's multilateral, plurilateral and bilateral trade agreements by ensuring that trade opportunities created by such agreements deliver the negotiated market access for European exporters.

Market Access Advisory Committee and working groups

A coordinating **Market Access Advisory Committee (MAAC)** was established that works closely with the TBR Committee.⁴ The MAAC is a forum to discuss matters to put forward in the WTO Technical Barriers to Trade (TBT) and Sanitary and Phytosanitary (SPS) Committees. It also serves as a forum to discuss and collect information on market access barriers that may be raised in the context of the WTO Trade Policy Review Mechanism or other specialised WTO bodies that deal with specific areas of trade policy (such as the Council on trade-related aspects of intellectual property rights (TRIPS), in WTO accession Working Parties (where relevant), or become the basis of a WTO dispute settlement complaint if an investigation by the European Commission concludes that a complaint is a violation of trading partners WTO commitments. The MAAC is composed of representatives of Member States, is chaired by the Commission and includes representatives of European business organisations. The deliberations of the MAAC may be informed by **sector-specific market access working groups (MAWG)** if one exists for the sector concerned. These offer a locus for more comprehensive and technical discussion of sectoral market access issues. The latter meet periodically as required based on

³ The MAS is administered by the Market Access, Industry, Energy and Raw Materials Unit in Directorate G in DG Trade (Trade Strategy and Analysis, Market Access).

⁴ The Trade Barriers Regulation Advisory committee comprises representatives of European Union member states. The European Commission reports to this committee the findings of investigations that it undertakes in response to eligible complaints received under the Trade Barriers Regulation from EU businesses or member state governments.

demand (interest), on average twice a year for the more active ones, whereas the MAAC meets every month (Ecorys, 2012).⁵ Deliberations of the MAAC are informed by inputs from EU sectoral associations and feedback from local **Market Access Teams (MAT)** located in some 30 partner countries. The MAT are comprised of Commission delegation staff, Member State embassy staff, business representatives (for example EU Chambers of Commerce), and where appropriate other EU stakeholders.⁶

A key aspect of the MAS and associated MAP is to **prioritise efforts by the EU to address market access barriers**. Prioritisation is based on a number of criteria (e.g. the likelihood of resolution; economic impact; political importance; degree to which there is a clear infringement of trade rules; know-how and resources on the ground, and support from the Commission services and member states). The **Commission's role** in the MAP includes fostering and supporting interchange between actors in Europe and the MAT on the ground; providing a coordinating function to identify priority areas for action, allocation of available resources and instruments; connecting different committees and working groups concerned with a given type of policy issue; fostering greater transparency through information exchange and systematically monitoring progress on the removal of identified market access barriers. **Member states' role** in the MAP spans active participation in the MAAC; sharing of information obtained from national business associations or companies and national embassies; contributing to and working with local MAT; and cooperating on barrier identification and analysis and pursuit (use) of trade diplomacy instruments to address market access restrictions. Member states also have a role in raising awareness of the MAS/MAP among their business communities, including SMEs.

The process of **barrier identification is fed by EU businesses**, who are expected to put forward complaints, either directly or through the relevant EU sectoral organisations for consideration by the Commission. EU government representatives may also raise perceived barriers for consideration. In practice EU sectoral organisations are the main players in bringing forward market access problems, based on a process of consultation and deliberation with their national members. A large majority (78 percent) of survey respondents (see below) indicate that industry and trade associations are the main source of information and complaints regarding trade barriers that are addressed by the MAP.

Market Access Database

A **Market Access Database (MADB)** plays a central role in this process and is an important operational tool of the MAS. Over time the MADB has become a central depository of trade restrictive measures in third countries. The MADB is also a source of information on applicable regulations, administrative formalities and market access conditions that apply in export markets, covering some 100 economies. The MADB is therefore a free of charge, on-line service for EU exporters quite independent of its role as a depository of market access barriers. However, the latter role is an important one in the implementation of the MAS, as the MADB serves as a mechanism through which economic operators can register complaints about measures imposed by trading partners that restrict access to markets and that appear to be inconsistent with rules and commitments under the WTO and bilateral trade agreements. As a result, the MADB provides an **evolving public record of market access barriers** reported to the Commission by EU business and that are in place at any given time.

⁵ As of March 2011 there were 12 MAWGs, including for SPS measures, chemicals, textiles, alcoholic beverages and automotive products, medical devices, distribution and logistics services. This is the most recent list posted on the Commission website. At http://trade.ec.europa.eu/doclib/docs/2011/march/tradoc_147653.pdf and <http://ec.europa.eu/trade/import-and-export-rules/export-from-eu/>.

⁶ See Tiedemann (2009) for a discussion of the market access teams.

The 2007 reform of the MAS made the MADB more user-friendly, including through the addition of a **complaint register to simplify the process of reporting trade barriers**, with a standardised on-line input form to ensure all relevant data is obtained at first contact. The complaint form used on the MADB website allows a firm or business/industry association to provide basic information on an alleged market access restricting measure. The process is simple: a complainant only needs to provide basic information on the product, country and type of policy instrument at issue – all predefined in drop down menus – plus a short description of the perceived problem that needs to be typed into a box. Once the complaint has been reviewed by the Commission and deemed to constitute a legitimate and actionable barrier it is included in the MADB and the status of the barrier is updated periodically to permit EU business to follow progress. In practice, most of the market access barriers that are registered in the MADB are brought forward by EU-wide sectoral business associations and organisations.⁷ Interviews with Commission staff indicate that on average four out of five barriers that are brought forward by sectoral organisations end up being included in the MADB – i.e., after consideration by the Commission are deemed to constitute legitimate/actionable barriers.

A key goal of the 2007 MAS reform was to make it easier for firms to raise perceived market access problems issues – as opposed to previous requirements that industry as a whole must agree there was a market access problem and the more resource-intensive procedures that apply under the TBR for industries/economic operators to request the Commission to bring a complaint to the WTO dispute settlement body.⁸ Under the post-2007 approach, if there is sufficient evidence offered, the Commission must investigate a complaint. **Whether and how a measure is pursued** by the Commission – e.g., negotiations, bringing a formal dispute to the WTO – is left to its discretion and is determined by a prioritisation process that includes deliberation in the MAAC.

The criteria for pursuing barriers

EC (2007) lists several criteria for pursuing market access barriers, including the magnitude of economic benefits in the short and the medium term for EU businesses, whether the measures concerned constituted a serious infringement of a trade agreement the country concerned had concluded with the EU (including the WTO), and whether resolution of the matter was likely to be possible “within a reasonable timeframe.” These are guidelines only and EC (2007) makes clear that **flexibility and discretion are important** to maintain.

The Commission (and member states) have a number of **instruments to address market access barriers** (Evenett, 2016; Ecorys, 2012):

- Communications (letters) from to the relevant third country authorities.
- Technical discussions (negotiations) with officials in the trading partner.
- Tabling the matter in committees established to monitor implementation of EU trade agreements (in cases where one exists and can be invoked).
- Diplomatic demarches and interventions by senior Commission/Member State officials.
- Offer/provision of technical & financial assistance to improve administration of trade policy measure (capacity building).
- Conditionality for launch of, or progress in, negotiation of a trade agreement with the EU.

⁷ Some 90 complaints are registered per month, 10 percent of which reflect substantive barriers. In these cases firms are advised to raise these through their governments or sectoral bodies and submit a market access fiche.

⁸ See http://trade.ec.europa.eu/doclib/docs/2006/february/tradoc_127354.pdf.

- Raise the matter in a relevant WTO committee and the WTO Trade Policy Review process.
- Conditionality for progress in the WTO accession process, where appropriate.
- Resort to mediation or dispute settlement procedures within the context of a bilateral trade agreement, where applicable.
- Invocation of WTO dispute settlement procedures, via invocation of the TBR by an industry or initiated by the Commission.

Box 1. The Tunisia Safeguard investigation

To illustrate the use (both effective and potential) of some of these tools we report evidence on the case of safeguard investigations by Tunisia on ceramic tiles. The case has been described to the author by an interviewed National Sectoral Association. Mention to it can be found in the 2017 fourteenth report from the Commission to the Council and the European Parliament.⁹ After the initiation of safeguard investigations by Tunisia in July 2015, a number of National Sectoral Associations covering ceramic tiles reported the case to the European Ceramic Industry Association Cerame-Unie which asked the commission to take action in order to prevent the imposition of Safeguard measures with the potential of seriously affecting EU exporters. The Commission responded by requesting a public hearing at the Tunisian Ministry of Economy in Tunis on 3 March 2016.

The meeting consisted in a technical discussion where members of the National Associations had the possibility to explain to Tunisian officials how the ceramic tiles exports from the EU to the North African Country were not at all competing with Tunisian producers. Indeed, the quality and average price of EU ceramic tiles in Tunisia were much higher than those of domestic tiles. As a result, EU and Tunisian tiles were de facto two very different products, satisfying a different segment of Tunisian demand and therefore not competing with each other. Import competition leading Tunisian producers to push for safeguard investigations was coming from other trade partners, exporting to Tunisia ceramic tiles whose quality and price were such that these exports were directly competing with the domestic industry.

The technical meeting was successful in leading Tunisia not to impose measures against EU producers. As reported in a formal communication between Cerame-Unie and DG Trade,¹⁰ the EU Sectoral Association asked the Commission to insist for Tunisia to close the investigation procedure during a subsequent round of DCFTA negotiations. Moreover, Cerame-Unie encouraged the Commission to be ready to challenge before the WTO any potential safeguard measure enacted by the Tunisian government for the ceramic tiles industry.

The enhanced market access partnership

In its 2015 Communication "**Trade for All**", the Commission proposed an "enhanced market access partnership" with **Member States, the European Parliament and stakeholders** for the implementation of trade agreements. Trade for all provides also for the reinforcement of efforts aimed at the removal of barriers against EU exports, together with the extension of the MAS/MAP to become more integrated with monitoring the implementation of EU trade agreements. The aim is to extend

⁹ The report is available online at the following url: <https://ec.europa.eu/transparency/regdoc/rep/1/2017/EN/COM-2017-401-F1-EN-MAIN-PART-1.PDF>

¹⁰ The full letter can be downloaded here:

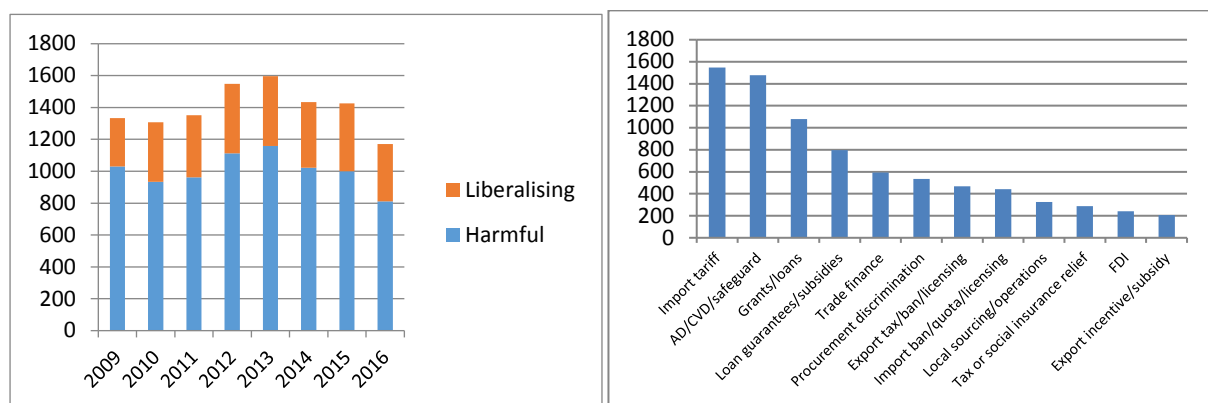
http://ec.europa.eu/carol/index.cfm?fuseaction=download&documentId=090166e5a811d60d&title=16_04%2012%20Tunisia%20-%20Letter%20to%20Cecilia%20Malmstr%C3%B6m.pdf

and reinforce the MAP beyond the removal of obstacles to trade and investment and cover more explicitly monitoring of the implementation of trade agreements, reinforce awareness raising and customs cooperation activities, bolster trade facilitation efforts and better prioritise, coordinate and communicate efforts to improve access to third country markets.

2 Operation and achievements of the MAS and MAP

As mentioned in the Introduction, many EU trading partners actively use trade policy measures that may detrimentally impact on EU exports, both to the country concerned and to other countries insofar as the measures **impact on the competitiveness of EU firms** in third countries. The Global Trade Alert (GTA), an independent initiative that monitors potentially trade-distorting measures implemented by governments,¹¹ has documented some 8,000 trade-distorting measures taken by countries between 2009 and 2016, as well as some 3,100 measures that liberalised trade (Figure 2.1). The most frequently used measures are tariff-related (including trade defense instruments), followed by financial transfers and subsidies of different types, procurement-related policies, nontariff measures affecting imports or exports, tax relief and export incentives (Figure 2.2).

Figure 2.1. Global number of new trade measures **Figure 2.2: Most frequently used instruments**



Source: Authors calculations based on Global Trade Alert data at <http://www.globaltradealert.org/>.

On average, the GTA has registered some 300-400 new measures per year since 2009 that potentially affect EU exports (Figure 2.3).¹² This is substantially more than the number of new market access restricting measures registered in the MADB and reported in the Trade and Investment Barriers (TIBR) report (Figure 2.4). The **difference is due to the methodology** that is used to identify and include new trade-restricting measures in the MADB. The MAS and MADB includes only a subset of all potentially trade-distorting measures taken by third countries. The focus is on measures that are significant for EU exporting industries and that are presumed to be inconsistent with trade agreements and internationally established disciplines. Thus, for example, the MADB will not register those trade defense actions (antidumping duties, tariffs to countervail foreign subsidies and safeguard

¹¹ See <http://www.globaltradealert.org/>.

¹² Note that these data are simple counts of measures and do not reflect the economic effects of different measures—for example, a change in the amount of indirect tax rebated on exports that affects all goods will have an impact that is orders of magnitude greater than a product-specific import tariff change. Note also that the sharp reduction for 2017 in Figure 2.3 reflects the fact that the year is not yet over; there are also significant reporting lags that imply that over time more measures will be added to the total for 2017.

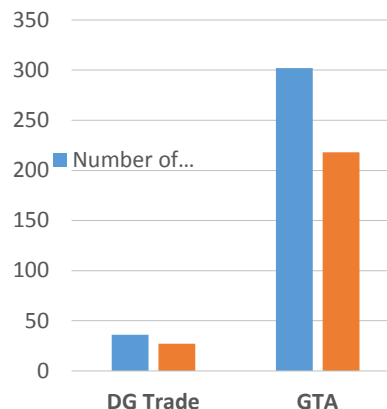
actions) that are included in the GTA if these are not regarded to be **inconsistent with WTO rules**.¹³ The same is true for increases in import tariffs by a trading partner with which the EU does not have a trade agreement as long as these do not exceed the WTO tariff bindings of the country concerned.

Figure 2.3: Number of new trade measures **Figure 2.4: New trade measures, 2016: MADB vs. GTA**

Potentially affecting EU exports



Source: Global Trade Alert database.

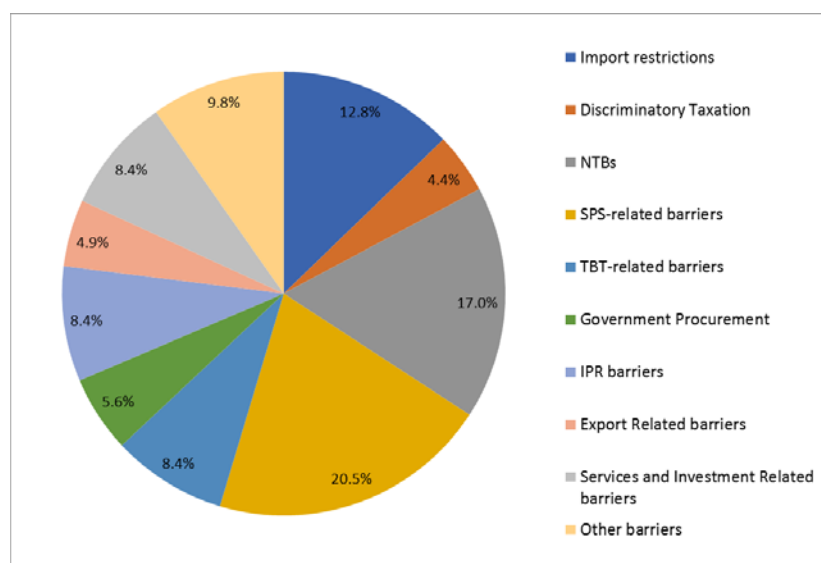


Source: Evenett (2017).

Another reason for the difference is that the MAS reflects a process of **prioritisation and focus on concrete barriers directly affecting EU economic operators** in third countries (EC, 2017). The MAS is not a monitoring mechanism that aims to provide a comprehensive picture of trade policy developments around the world; instead it aims to assist economic operators to remove actionable barriers. Reflecting this focus, the latest TIBR (EC, 2017) addresses only what is regarded as the most relevant barriers affecting EU exports, with most attention centred on new measures and on measures that were successfully removed in 2016.

Figure 2.5 reports a breakdown of the **different types of measures** captured in the MADB. Import restrictions, TBT and SPS measures and other nontariff barriers account for over 60 percent of all barriers included in the database. Services-and IPR-related barriers each account for 8.4 percent of the total.

¹³ Such measures are monitored and reported on in a separate annual publication – Overview of Third Country Trade Defense Actions against the European Union. For the 2016 report, see: http://trade.ec.europa.eu/doclib/docs/2017/july/tradoc_155883.pdf.

Figure 2.5: Measures included in the MADB, 2016 (percent of total)

Source: Own calculations updating Evenett (2016) using MADB information for 2016.

How successful has the MAS been?

How successful has the MAS been in removing the set of measures that have been included in the MADB? Anticipating the discussion of survey results, we did find only a moderate consensus regarding this particular achievement of the MAS. Among respondents asked to identify at least one of the main achievements of the MAS, 47% of them reported that the Strategy and related Partnership have contributed to reducing and/or removing barriers to EU exports. Evenett (2016) has analysed this question based on reporting by the Commission on successful removal of barriers for the 2008-2015 period. During this period the Commission reported 260 instances in which a barrier was removed, prevented or delayed, or about 32 per year on average. However, over time the number of barriers removed every year has fallen. In the 2008-2011 period an average of 42 measures were addressed each year. In the 2012-2015 period this fell to an average of 19 per year. In 2016, a total of 20 barriers were resolved. In descending order, **India, China, Ukraine, the USA, Israel, Brazil, Russia, Japan, Turkey and Egypt constitute the top ten countries where market access barriers were resolved.** India and China each account for 10 percent of success stories; the top ten together represent two-thirds of all successes. This list indicates that the focus of (successful) resolution of cases is centred on large emerging economies and the larger neighbourhood countries.

One-third of these successes involve **trade defense actions**; another third involve SPS or TBT measures.¹⁴ Both are policy areas where there are well-established international rules and disciplines under the WTO. In the case of **SPS** and **TBT**, the relevant WTO Committees have established procedures that facilitate discussion of potential specific trade concerns that are raised by new or proposed measures of a WTO member. This may be a factor explaining the relatively high share of SPS and TBT measures. More important is that TBT and SPS are much more likely to give rise to complaints than other types of trade policies. Statistical analysis of the determinants of success stories suggests that resolution of barriers is associated with the degree to which EU trading partners impose barriers

¹⁴ Success stories include a significant number of antidumping-related issues even though the MADB contains only a few such cases. This is because Evenett (2016) included information on specific antidumping-related cases that were addressed outside the MAS process.

and the size of the export market. Whether or not the EU has a trade agreement with a third country does not appear to increase the success rate (Evenett, 2016, pp. 24-29).

Agricultural products account for the largest share on market access barriers listed in the MADB (27 percent), as compared to representing 6.4 percent of the EU's total exports of goods, followed by so-called horizontal measures that affect more than one sector (23 percent). Only 27 (7 percent) of the measures recorded in the MADB pertain to services. Interviews with representatives of services industries suggest that the under-representation of services relative to their share in total EU exports (32 percent) is due to the fact that barriers to trade and investment in services often are regulatory in nature and thus difficult to identify by services suppliers and to address by the Commission through trade policy instruments, and lend themselves more to diplomatic channels and contacts, policy dialogue and reliance on activities of the relevant international organisations (such as the IMF, World Bank, or regional development banks). Some interviewees also reported that they did not expect the Commission to take up measures that concerned them – that is, an expectation that other policies and barriers would be regarded as more important or salient. As noted below, there is also a potential issue relating to a lack of awareness among services exporters that the MAS/MAP is applicable to them. The large share of agriculture-related barriers in the MADB reflects the substantial prevalence of SPS-related market access issues.

WTO dispute settlement is used for only a small subset of instances in which a partner country imposes a barrier to EU exports. Most of the 90 disputes brought to the WTO by the EU since 2008 have been against three countries: China, Russia and the US (together accounting for some two-thirds of all WTO disputes). China and the US are the two largest trading nations in the world, helping to explain this pattern. Less easy to explain is why over time fewer cases have been brought to the WTO – there has been a steady decline in the number of disputes initiated by the EU. In the mid-2000s the EU brought 4-5 cases a year to the WTO. In recent years the number has declined to one case per year. Possible factors that were mentioned in interviews included perceptions of capacity/resource constraints; the length of time involved in a WTO dispute and assessments that issues that might be brought to the WTO could be raised in ongoing and planned trade negotiations with third countries concerned and be addressed as part of a trade agreement.

According to the Commission, around **20 percent of market access barriers registered in the MADB have been resolved**. As noted above, in the last 5 years the number of successfully resolved market access cases has averaged around 20 per year, while the number of new measures registered in the MADB generally exceeds 20 per year (in 2016, 36 new barriers were added). Thus, the data suggest more market access barriers against the EU (or negatively affecting EU exporters) are being registered than are being removed. This may be a partial consequence of a greater effort to identify and address trade barriers following up on the Trade for All strategy.

Stakeholder perceptions and views

In order to better understand views of stakeholders regarding the operation of the MAS, a series of interviews were held with stakeholders, including DG Trade officials, selected member state officials, EU business associations, and national business organisations, as well as several representatives affiliated with market access teams. These interviews were complemented by an on-line survey that was designed and implemented by the European University Institute, following a set of initial conversations with stakeholders on the goals and process of implementing the MAS. The survey questionnaire is attached as Annex 1 to this report. It seeks to **identify perceptions** regarding a range of relevant factors, including whether:

- (i) there is widespread awareness of the MAS and related committees, working groups and processes;
- (ii) it has facilitated exports by increasing information of export requirements;
- (iii) it has contributed to preventing/removing barriers to EU exports;
- (iv) it is more useful or effective in some countries or regions than others;
- (v) there is a bias in the implementation of the MAS towards certain sectors or types of firms;
- (vi) there are factors impeding the effectiveness and success of the MAP, and if so what these are – including capacity constraints, political considerations, absence of international disciplines, availability of bilateral channels and mechanisms, insufficient resources in the European Commission; lack of appropriate instruments to incentivise a change in policy by the foreign government concerned or inadequate coordination between Member States and the EU in identifying alternative tools that could be used to resolve a matter;
- (vii) trade agreement implementation committees help resolve barriers identified by the MAP;
- (viii) there should be a **greater focus on market access issues by the European Parliament**; and
- (ix) communication tools are effective in raising awareness among stakeholders in Member States of the MAS and related tools and activities?

Participants in the MAAC were invited to participate by responding to the on-line questionnaire, which was circulated to Member-states contact points dealing with EU trade policy issues and to European and national trade associations and industry bodies. In parallel, representatives of EU business associations were asked to complete the survey and to send the web link to the on-line survey to their members. It should be emphasised that the aim of the survey was to complement interviews with stakeholders and desk research. No sampling frame was established and there is no presumption that the survey respondents are representative of the universe of EU economic operators who engage in exports and are concerned with market access issues in third countries. **The goal of the survey was simply to provide additional views** of an exporting firms, associations and government/Commission officials with a professional/business interest in export facilitation. Potential business respondents were identified through lists of sectoral and cross-cutting EU-wide business associations and personal contacts with management consultants and trade organisations that work with exporters. In these cases emails were sent to the contact points of the relevant organisations with the request to fill in the questionnaire and forward it to associations they work with.

A total of 181 responses were received in the period between 11 September and 24 October, 2017. As shown in Figure 2.6, about 40 percent of the respondents come from industry, business or trade associations, with national associations being more represented than EU-level ones. Almost one third of the sample are respondents from private firms; slightly less than a quarter comprise officials from EU member state governments; and about 4 percent are EU officials. Virtually all (92 percent) of respondents affiliated with business associations report that their organisation includes small firms. Among private company respondents, about one third represent small firms (companies with fewer than 100 employees); one-half represent firms operating in the manufacturing sector; one-third represent services providers; and one-sixth are associated with agriculture and agro-business activities.

A first result from the survey concerns the awareness/knowledge of the MAS/MAP among stakeholders. Two questions at the beginning of the survey ask the respondent (1) whether she has

ever heard of the MAS/MAP and, if so, (2) whether she has a good understanding of the goals and operation of the MAS/MAP. These two initial questions serve to identify the extent of general awareness of the MAS and the depth of engagement the respondent has with the implementation of the program. More than one-half of the respondents (52 percent) indicate that they have never heard about the MAS. Another 17 percent are aware of the initiative but are not familiar with its goals and how it functions. **Only 31 percent report having a good knowledge of the MAS and MAP.**

Figure 2.6: Characterisation of the respondents

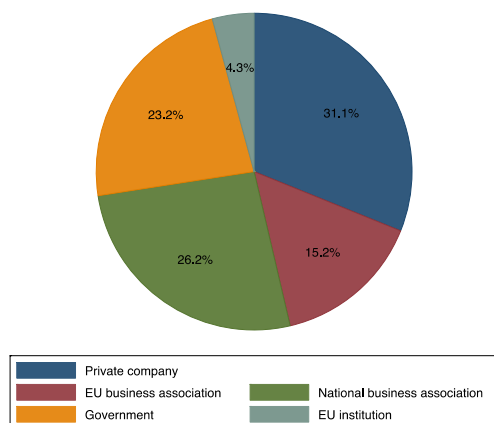


Figure 2.7: Knowledge of MAS/MAP

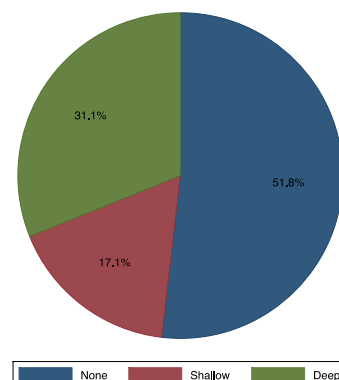
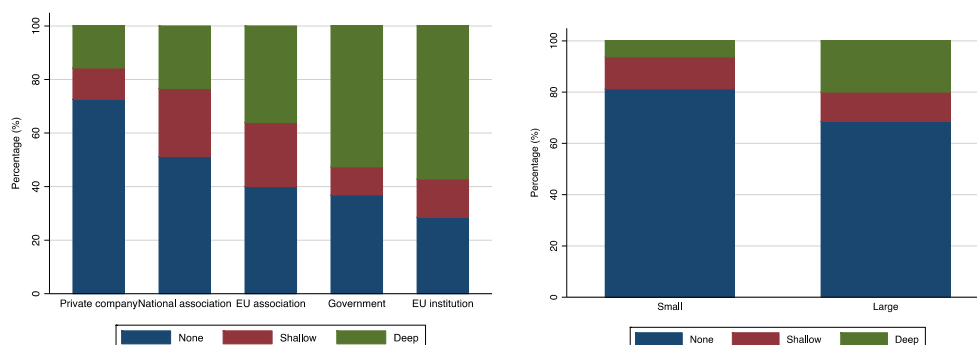


Figure 2.7 plots the distribution of these basic knowledge indicators across types of respondents and the size of firms they are affiliated with. More than 70 percent of respondents working for a private company have no knowledge of the MAS/MAP, with another 10 percent indicating they have only a shallow knowledge of the program. Only slightly less than 20 percent of the firm representatives have a good understanding of the MAS/MAP. **Awareness and knowledge is even less among the small firms in our sample:** about 80 percent of respondents from a company with less than 100 employees indicates to have never heard about the MAS/MAS; less than 10 percent report having a good knowledge of the mechanism. Members of **business associations have a greater understanding and better knowledge of the MAS and MAP:** some 40 percent of respondents working for an EU-level business association report having a good level of knowledge. Close to 60 percent, the share is even higher for respondents affiliated with national governments and EU institutions. Although it should be emphasised that the survey sample is not necessarily representative, and it is to be expected that sector and government/EU officials have a better understanding of the MAS/MAP given that the survey was sent to people involved in the strategy, the lack of awareness/knowledge among firms and business associations suggests that there is substantial **scope for efforts to improve awareness of the MAS and the operation of the MAP.**

Figure 2.8: Knowledge of MAS/MAP across types of respondents and firm size

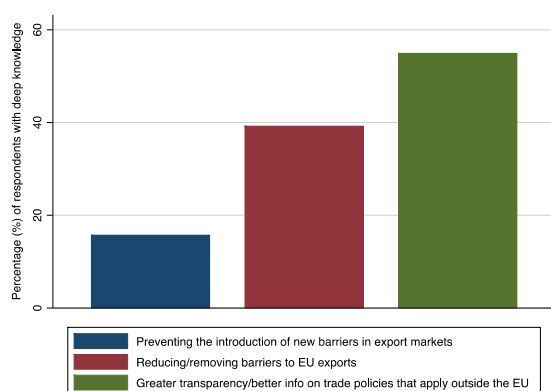


All respondents who indicated not having a good understanding of the MAS/MAP were filtered out and did not fill in answers to the detailed questions contained in the survey pertaining to the operation and achievements of the MAS. Thus, responses to the substantive questions reflect the views of persons with a good knowledge of the MAS/MAP which amount to 51 respondents. They were asked to identify the **main achievements of the MAS**, distinguishing between:

- (i) reducing/removing barriers to EU exports;
- (ii) preventing the introduction of new barriers in export markets; and/or
- (iii) greater transparency and better information on the trade policies that apply in partner countries.

Figure 2.9 plots the share of respondents that agreed with each of these options (more than one selections was permitted). The results point in the direction of greater transparency and better information regarding trade policy in countries outside the EU as the main achievement of the MAS – with slightly more than half of the respondents having this view. Two-fifths of the respondents agree that reduction and/or removal of existing barriers to EU exporters has been achieved as a result of the MAS. Almost 20 percent indicate that the MAS has prevented the introduction of new market access barriers.

Figure 2.9: What are the main achievements of the MAS?

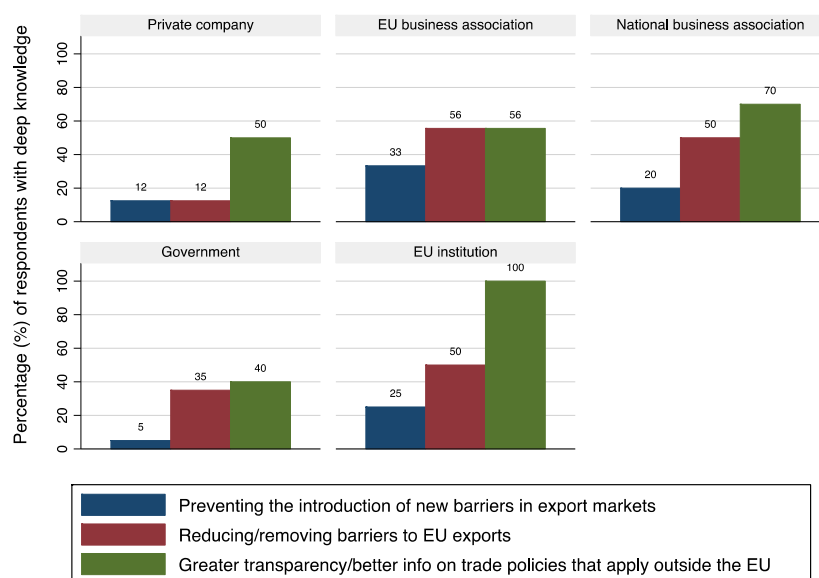


If answers to this question are disaggregated across types of respondents, representatives from **businesses (companies) identify increased transparency/better information as the main achievement** of the MAS (Figure 2.10). Only 12 percent of firms indicate that removal or prevention of market access barriers is a main achievement of the MAS. A similar perception is also held by officials of national governments, who are more positive about the reduction/removal of barriers and less so about prevention. A more positive assessment of the achievement of the MAS emerges from respondents in EU institutions. Among that sample, everybody believes the MAS has achieved greater transparency and better information on extra EU trade policy barriers. However, assessments of the realisation of reduction of market access barriers is close to the more moderate perspective of business organisations.

When asked whether the MAP **has reduced the effects of increasing protectionist** trends on EU economic operators, 73 percent of respondents answering the question declared that this has happened only to a limited extent; 12 percent that this has not happened at all while only 15 percent declared that this has happened to a large extent. Similarly, when asked whether the size of a company has an impact on the firm's knowledge and use of the tools available in the context of the MAP, 81 percent of respondents answering the question agree that firm size matters. In particular, almost all

(89 percent) are of the view that **large firms are more aware and better able to use the tools** available in the context of the MAP.

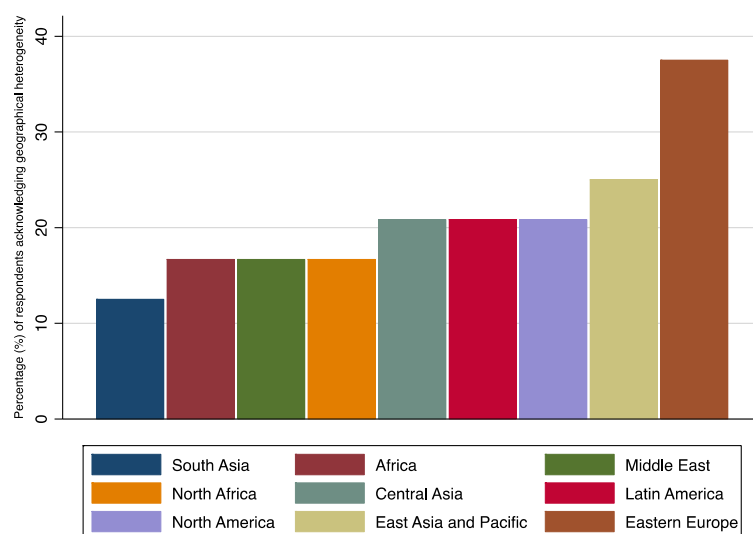
Figure 2.10: Main achievements of the MAS across types of respondent



There is a **broad consensus (90 percent of respondents) on the relevance of the MAS for EU exporters**. The few respondents that declare the MAS not to be useful for exporters identify the main reason for this view a lack of awareness of the MAP among firms, followed by the view that firms do not expect the Commission to take action.

A majority of respondents (73 percent) point to the existence of heterogeneity in the effectiveness of the MAS across geographical regions. As shown in Figure 2.11, slightly more than 35 percent of these respondents identify Eastern Europe as the region where the MAS has been more effective in removing market access barriers. Slightly more than 10 percent are of the view that the MAS/MAP has been effective in removing market access barriers in South Asia. Other regions where respondents do not believe the MAS has been very effective include Africa and the Middle East.

Figure 2.11: Perceived effectiveness of the MAS/MAP across regions



Additional insights from interviews with stakeholders

The survey was complemented by some 20 interviews with representatives of EU-wide and national sector associations EU and member state officials. The aim of the interviews was to solicit views on the operation of the MAS/MAP, its usefulness and extent to which it is used, as well as suggestions for strengthening the mechanism. All the officials and most of the organisations interviewed had an extensive knowledge of the MAS/MAP. Many of the interviewees were active participants in the Market Access Advisory Committee and, where relevant, Market Access Working Groups. The representatives of business associations indicated they devote dedicated resources to identify and tackle market access barriers themselves with the help of their members (i.e. firms).

In general, all of the interviewees expressed a **positive view of the MAS/MAP and regard it as a useful platform** that demonstrates the Commission's commitment to defending the interests of EU exporters. EU wide sector associations utilise different strategies to secure market access for their members; the MAS/MAP is regarded as one element of the toolbox (Box 2). Issues that were raised in the interviews regarding factors constraining the effectiveness of the mechanism included a fear of retaliation by foreign governments – especially in instances where the market access barrier is regarded as politically motivated as opposed to reflecting narrow commercial interests. An example mentioned is recourse by governments to nationalist economic (industrial) policies, which were held to give rise to the possibility of prolonged disputes and retaliatory sanctions. It was noted that stakeholders in such cases may consider the MAS/MAP as an ineffective tool for tackling barriers as what is needed is higher level political engagement. An example is given by Russia, for which the MADB reports 4 cases of discriminatory subsidies in the automotive sectors between 2012 and 2016. It is likely that given the highly political content of EU-Russia relationships, the leverage embedded in a narrow market access discourse would prove itself insufficient to tackle these barriers. In general, a recurrent view among stakeholders is that the Commission has wide **margins for improving the degree of pressure exerted toward trade partners in the context of the MAS.**

Finally, a relevant issue regarding the effectiveness of the MAS emerging from the interviews are perceptions of the Commission's **ability to take action in a timely manner.** A prompt response is often vital for business interests, as in many cases a barrier is identified in the form of an unexpected certification requested to clear the customs. Expectations that the Commission, in the context of the MAP, is capable of coordinating an immediate assessment of the barrier and a consequent action to report business operations to normal are relatively low.

Box 2: Sector/business organisations and the MAS: Three different models

In depth interviews with Italian sector organisations illustrate the variance in approaches that are pursued by sectoral associations of exporters to address market access barriers.¹⁵ Interviews were held with (i) ASSOCARTA, the association of the Italian paper industry; (ii) ASSICA, the national trade association representing companies involved in the production of Italian Salumi (pork and beef), pork slaughtering, and in the processing of other meat-based foodstuffs (corned beef, fats and lard, etc.); (iii) FEDERVINI, the Italian federation of industrial producers, exporters and importers of wines, sparkling wines, aperitifs, spirits, syrups, vinegar; and (iv) Confindustria Ceramica, the association of Italian ceramics.

There is substantial heterogeneity across these three entities in terms of the degree of awareness of and integration into the MAS. The interviews point to three distinct models in dealing with market access barriers identified and reported by associated companies.

In the first model, the national sectoral association is unaware of the MAS. The approach taken following the identification/report of a trade barrier outside the EU consists in opening a discussion with the Italian Government and/or Confindustria (the main association representing manufacturing and service companies in Italy), many times without engaging in EU-level discourse. If the issue is brought to the EU-level, this happens through a delegation to the EU industry association counterpart.

A second model is to walk on two legs. In this case, when confronted with a trade barrier reported by its members, the national association activates in parallel both a bilateral channel with the third country imposing the barrier through a discussion with the relevant Italian ministry and an EU channel through its office in Brussels which engages directly with DG Trade and/or other relevant Directorates without necessarily interacting with the EU-level counterpart sectoral association. The main reason for the double channel is a recognition of a gap between what the Italian Government and EU Institutions can do to deal with a non-tariff barrier, given their different information sets, policy tools, agendas, and prioritisation schemes. In particular, the Italian Government is deemed to be better able to factor in the details of the case, such as the specificities of the sector in Italian market and the relationship between the relevant regulations in Italy and in the third country. Moreover, the Italian Government responds directly to national interests as opposed to the broader agenda of EU institutions. However, the Italian government does not have access to the same policy tools as the EU. In situations where the case can be tackled in the context on ongoing or future negotiations the Commission is clearly the relevant agent. Furthermore, in many contexts EU institutions can exert a stronger diplomatic influence than the Italian Government can do through its embassies.

The third model is to rely primarily on the MAS/MAP. In this case the national association has a detailed knowledge of the MAS and brings the matter there, interacting with the MAAC and the relevant MAAC to take the best out of the system. The interviewee from the association reflecting this type of model declared that the action taken by the Commission in the context of a case identified by MAP is often not enough to solve the market access issue in a timely manner. However, the interviewee did not see any viable, more efficient alternative that could apply to most its cases.

The interviews with the national sector associations suggests a need for enhancing awareness of the MAS and the MAP among stakeholders. The fact that associations have very different approaches suggests sector specificities may impact on incentives to use the MAP. A greater focus on identifying and understanding such sectoral idiosyncratic parameters can help determine when and how the MAS

¹⁵ The selection of Italian associations is purely illustrative and reflects the diversity in approaches that were observed in the interviews. Similar considerations were raised in interviews with other industry associations in other countries.

can be an effective tool. For example, the degree of regulatory cooperation or harmonisation in a specific sector between an EU member state and a third country may be an important dimension of effective market access that is not considered in a broader EU-wide market access deliberation.

What role for the European Parliament?

The survey includes two questions on the role the European Parliament (EP) could play in the context of the MAS/MAP. The first one asks whether there should be a greater focus on market access issues by the Parliament and MEPs in **their interactions with their constituencies**. Among respondents who replied to this question, 84 percent offered a positive answer. The second question asks if the EP should play a greater role in supporting the activities of the MAP through regular interaction on market access issues with **counterpart bodies in partner countries**. A smaller majority of respondents (73 percent) answered yes to this question.

In the interviews with stakeholders on the question what the EP could/should do to support the market access goal there was a greater reluctance to support greater formal involvement of the EP in the MAS/MAP. Among the reasons for this view was that the EP does not provide a structured mechanism in which market access issues can be raised – i.e. regular meetings or setting agendas. Developing such a mechanism will require substantial resources and interviewees questioned the willingness of the MEPs to devote resources in this regard. Second, a number of the interviewees noted that the technical nature of trade barriers may sometimes be more effectively communicated with DG TRADE officials, who specialise on trade-related matters.

That said, many interviewees were in favour of greater informal involvement of the EP and MEPs in helping to achieve the goals of the MAS and support EU exports. In this sense they suggested that **MEPs could play a constructive role when they travel to third countries and engage with their counterparts or participate in meetings as part of an EU delegation**. It was noted that MEPs should be aware of market access issues confronting EU firms when they travel and request briefing materials on the subject before they travel. One sector association also noted that the formal involvement of the EP may prove useful in promoting more transparent policies regarding market access. Other suggestions that were made in response to the question what the EP might do to support the MAS included recommendations that MEPs engage more on the market access agenda when they interact with their domestic constituencies and parties. Given that the survey and interviews identify a lack of awareness of the MAS as one factor reducing the effectiveness of the MAS, MEPs could play **a role in raising awareness at the national level**.

We discuss specific recommendations for members of the Parliament on both MEPs activities in the EU (member-states and vis-à-vis the Commission's activities) and in third countries in the final section of this report.

3 External and internal challenges

A mix of external and internal challenges confront EU efforts to address market access restrictions in third country markets. What follows discusses some of these, drawing on interviews, the survey and the existing policy research literature. **The distinction between the two categories of challenges is not always sharp**, but they are nonetheless useful for organising the discussion. Figure 3.1 reports responses to questions in the survey pertaining to a variety of possible factors – external and internal – that may reduce the effectiveness of the MAS. Figure 3.2 summarises responses to the question whether the intention of integrating a greater focus on implementation of EU trade agreements into the MAS – the 'enhanced market access partnership' foreseen in the Trade for All communication and the 2016 TIBR – will address the factors that negatively affect the operation of the MAS. Survey

responses suggest that this is expected to improve matters in some respects – most notably by increasing the leverage of the EU, the willingness to table barriers for discussion and the ability to utilise better available tools and instruments.

All in all, when asked whether the **MAP has become more effective in opening export markets for EU firms** in the last 5 years, almost 70 percent of respondents replying provided an affirmative answer. However, more than 50 percent of respondents with a good understanding of the MAS/MAP did not answer this question. Interviews with stakeholders involved in the MAS generally revealed a positive view of the process but also areas in which there is **scope to improve its effectiveness**, notably (i) coordination among stakeholders and parties entitled to take action; (ii) increase leverage of EU in the context of the MAS; and (iii) increase resources and devise practices to be able to act swiftly when required.

Figure 3.1: Factors impeding MAS effectiveness help?

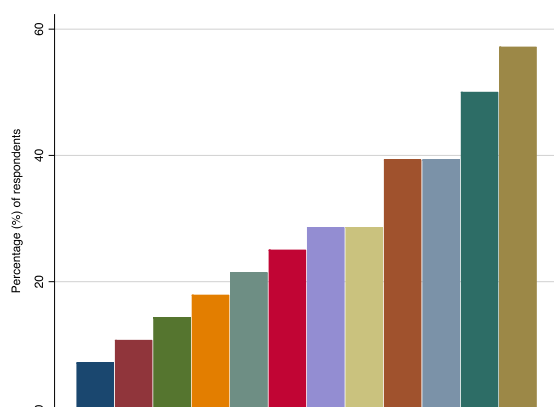
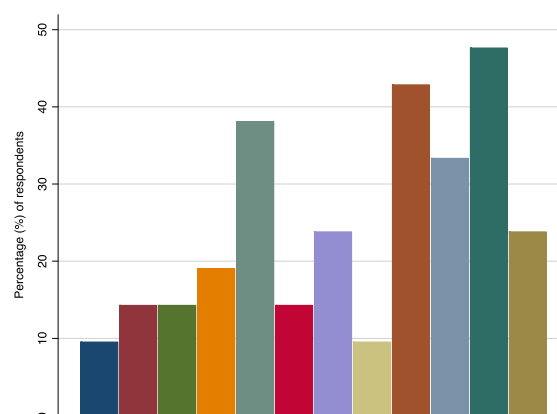


Figure 3.2: Will the “enhanced MAP” help?



Legend (see also Annex 1):

	Trade barriers concerned permitted by the WTO / not covered by the applicable EU trade agreement
	EU Member State delegations do not cooperate with the EU delegation (market access teams)
	Administrative constraints confronting the MAP in accessing technical assistance
	Larger EUMS operate through bilateral channels to pursue national priorities, not the MAP
	Lack of appropriate prioritization of barriers to be addressed
	Lack of capacity of the EU staff to effectively pursue a complaint
	Lack of capacity/interest of EUMS and their representative offices to remove trade barriers
	EUMS delegations do not cooperate with the EU delegation (market access teams)
	Unwillingness by the EC/EUMS to confront partner country authorities with adverse trade effects
	Inadequate coordination between EUMS and the EU in identifying/allocating resources in a timely manner
	Lack of leverage to induce action by trading partners
	Foreign policy or geopolitical concerns dominate market access considerations

3.1 External factors impacting on the effectiveness of the MAS

External factors (exogenous to the MAS) that impact on the effectiveness of the strategy include economic (commercial), geo-political (foreign policy) and legal considerations. These may impact on the ability of the MAS/MAP to identify priority market access barriers and the feasibility of addressing those that are deemed to be priorities.

Identification. A basic necessary condition for addressing market access barriers is to identify them. The MAS, especially in more recent years, is designed to be a **bottom-up process**, with EU businesses working through their national associations to inform their respective EU-wide sectoral associations of barriers they confront and wish to bring forward for consideration and action by the Commission. Thus, the burden is on businesses to identify market access problems, and on the sectoral organisations to agree on what are priority countries and priority market access barriers for action. There are many links in this chain and weaknesses at any point may result in market access restrictions not being tabled, or resources being devoted in efforts to address barriers that may not have the greatest negative effect on the EU.

Among the survey respondents, three-quarters (71 percent) agree with the statement that the MAP should focus on making it easier for individual firms to provide the type of information that is needed to notify a complaint. It is not clear that this would resolve the type of factors that may result in under-reporting of barriers. Challenges here include knowledge on the part of economic operators – it may not be clear to firms whether they are confronting an actionable policy barrier, i.e., a market access restriction that could be addressed by the Commission and/or member states working in concert. The **information problems that arise often are not negligible**. This is the case in particular for measures that are not imposed at the border and that are not explicitly discriminatory in the sense of only applying to EU or to foreign products and not the domestically-produced goods or services.

Another identification-related challenge is that firms may not be willing to complain or notify perceived barriers to the Commission. This can reflect a **fear of retaliation or perceptions that the company is better off going through its own government** and relying on bilateral channels of communication with the foreign government concerned. Large companies may prefer to work through their government or to address issues themselves bilaterally. The same may be true for national industry associations. Some of the national sectoral organisations interviewed for this report do not work via the MAS/MAP but prefer to address matters themselves, with or without the support of their national government. This is not necessarily a problem from the perspective of the MAS insofar as it reduces the burden on the MAP. However, it may be sub-optimal from the perspective of the EU as a whole if the outcome is to benefit a specific EU firm or national industry as opposed to the relevant EU industry more broadly. Such issues were flagged in several of the interviews but in general this was not perceived to be a major issue – and in any event is one that will be difficult to address in the context of the MAS/MAP.

It can also be the case that a firm (or a national industry) is not able to convince its EU-level sectoral association that a given market access barrier is a priority relative to other barriers affecting the ability of firms based in other EU countries to export. While there is no formal requirement that a matter is brought forward by a national association or to be supported at European industry level, in practice firms are aware that the MAS involves a balancing and prioritisation process and thus will want to ensure that they have the support of their national associations. The MAS methodology requires sectoral bodies to prioritise, and the process of doing so may imply that some barriers are not put forward. This may in part be the result of assessments regarding the prospects of success and actionability by the Commission. Insofar as industry associations have an inaccurate view of what in

fact the Commission could do, there can be under-reporting of barriers. We return to this issue below. Actions to **increase awareness of the MAS/MAP and a more explicit focus on communication** around the different tools the Commission has at its disposal could incentivise greater engagement by business.

Leverage. Another external challenge confronting the MAS is the salience of available instruments through which the EU can induce a trading partner to change its policies. In instances where a market access constraining measure is consistent with the WTO rulebook but nonetheless restrains trade it is more difficult to raise the matter with a trading partner. The same is true in situations where geo-political or foreign policy considerations over-ride commercial considerations – or where commercial stakes are small.¹⁶ In assessing impediments to the success and effectiveness of the MAS/MAP, almost 60 percent of the survey respondents pointed to the existence of **foreign policy or geopolitical concerns dominating market access considerations as one factor that plays a role**. Other frequently identified impeding factors pertaining to the external dimension of MAP operations include a **lack of leverage to induce action** by trading partners and unwillingness by the Commission/member states to confront partner country authorities and impose sanctions (Figure 3.1).

The leverage problem is likely to arise in particular for measures that are not necessarily intended to have a discriminatory effect – i.e. the measure applies to both domestic and foreign products – and where there are no international disciplines. Since 2008 there has been a rise in the unilateral use of trade policy instruments for which WTO disciplines or rules of the game established in bilateral trade agreements are limited or non-existent. Examples are tax and other fiscal as well as non-fiscal incentives, industrial policies, measures to assist domestic SMEs and public procurement discrimination. In such cases the **remedy may involve negotiating disciplines in a trade agreement** – either as part of a new agreement or as an extension of an existing agreement – or using diplomatic or development assistance tools. These options may have limited salience however in contexts where geo-political and foreign policy considerations predominate. More generally, (domestic) political considerations can be a factor external to the MAS/MAP that may constrain the ability to use the tool more effectively. The EU places substantial weight on non-commercial objectives in its foreign policy, including its development assistance programs. These may dominate in the dialogue and cooperation with a trading partner, in effect reducing the “space” to raise market access concerns – or the probability that market access issues are addressed if/when raised.

Revealed preferences of industry to defend market access interests. At the end of the day challenging many of the prevailing market access barriers requires business to take the initiative. If EU business is unwilling to formally request the Commission to take action against market access barriers this will reduce the overall value/effectiveness of the MAS. When it comes to measures that are perceived to violate WTO rules and commitments, EU industry can invoke the TBR and request the Commission to bring a formal complaint to the WTO dispute settlement body. As noted, there has been little use of the TBR – only 24 cases have been brought forward since 1996. It is unclear why there has been such little use of the provision by industry. It may reflect perceptions that the remedies available are inadequate or that the prospects of inducing the foreign government to adapt its policies are regarded as very low. Whatever the reason, the low usage rate of the TBR, and the decline in the

¹⁶ An illustration is that the EU has never invoked WTO dispute settlement procedures against a least-developed country. While this is likely to reflect the fact that most LDC markets are very small, also salient may be foreign policy considerations and concern regarding adverse publicity and reactions by EU development organisations.

number of WTO disputes launched by the EU, arguably reduces the **rate of return on the investment that has been made in the MAS/MAP**.¹⁷

3.2 Internal factors affecting the effectiveness of the MAS

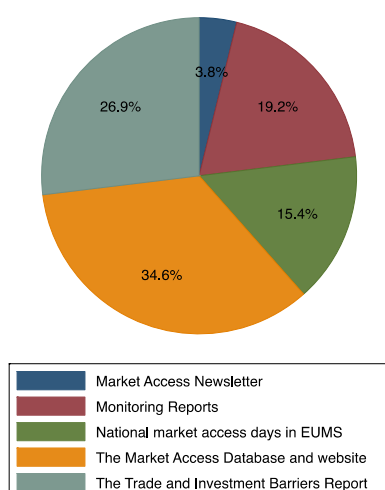
Internal challenges centre on the operation of the MAS and MAP. Factors here include the **level of engagement** by all the partners in the MAP (not just the Commission) in ensuring that stakeholders are aware of the program, the approach taken towards choosing (prioritising) the barriers to pursue and the adequacy of financial and human resources available (allocated) by the Commission for this task in Brussels and in the field, and similarly by national and EU business organisations and national embassies. Also relevant are the extent of **overlaps and complementarities of competences** across the different elements of the structures that are used to execute the MAS and those that deal with related matters, notably committees and working groups that are responsible for monitoring and enforcing the implementation of trade agreements the EU has negotiated, relevant WTO committees, and bodies that are responsible for the provision of technical assistance and capacity-building activities in developing country trade partners (e.g., DG DEVCO).

Awareness. Although not too much weight should be placed on the survey, the responses suggest there is an awareness gap when it comes to the MAS. This was also stressed in a number of interviews with government and EU officials – there is a recognition that many EU exporters, **especially SMEs, are insufficiently aware** of the tools and mechanisms that have been put in place to address market access barriers in third countries.

Interviews highlighted that more transparency can be achieved, especially with regards to the various available options to tackle notified trade barriers and the particular (concrete) steps that have been taken by officials. Interviewees noted that **different options that are taken by the policymakers**, ranging from third country consultations to a WTO dispute, can be more clearly communicated to the stakeholders.

Survey respondents were asked what could most usefully be done to use communication tools to increase awareness of the MAS among stakeholders in Member States. Figure 3.3. reveals that there is broad support for greater use of a number of tools. The MADB and related website, as well as dissemination of the Trade and Investment Barriers Report were identified as the most useful communication tools, followed by the monitoring reports, national market access days and the market access newsletter.

¹⁷ It may be that the decline in WTO cases and limited use of the TBR channel reflects a perception that the MAS itself is a more effective route. However, the increasing difference between new market access barriers included in the MADB and cases that are successfully resolved suggests this is at best only a partial explanation.

Figure 3.3: Most useful communication tools to raise awareness of the MAS/MAP

Sectoral interviewees noted that the MADB is, in principle, a useful tool but needs to be updated more frequently; the perception of some of the sectoral organisations was that the MADB contains information on barriers that do not reflect the reality of the situation on the ground – i.e. **applicable barriers are actually more extensive** or involve different legal instruments than described in the database. Interviewees noted there was a need to double check the information they find on the database, reducing its usefulness. Other interviewees pointed to an opportunity to link the MADB to other sources of information on trade barriers that are relevant from a market access perspective. Examples included the International Trade Centre market access map database, the database maintained by UNCTAD on nontariff measures affecting trade and the World Bank and OECD databases on policies restricting trade and investment in services.¹⁸

Although the focus on highlighting the new barriers included in the MADB each year and the success stories in removing specific barriers that are summarised in the TIBR and separate factsheets are considered to be very useful in helping to raise awareness in the business community regarding the existence and operation of the MAS, a number of interviews pointed to a need to help firms understand what types of measures restrain access to markets and how these may be actionable. Perceptions that measures of a regulatory nature apply to both domestic firms based in a trading partner and to foreign firms trying to export a product to the country are not actionable is one factor that may reduce use of the MAS/MAP by firms. Increasing awareness that **the Commission has access to tools – such as technical assistance – that may be effective** in addressing the trade-impeding effects of a given policy could help incentivise firms to bring such measures forward.

Coordination. Both the survey and interviews reveal a general view that the MAP feeds into the agenda of the committees responsible for monitoring the implementation of EU trade agreements and that **trade agreement-related committees play a useful role** in helping to resolve barriers identified by the MAP. There is also a general view that a lack of cooperation between EU Member States and local Market Access Teams or related administrative issues is not a factor that negatively affects the operation (effectiveness) of the MAS.

¹⁸ <http://www.macmap.org/>; <http://www.oecd.org/tad/services-trade/services-trade-restrictiveness-index.htm>; <https://data.worldbank.org/data-catalog/services-trade-restrictions>; <http://unctad.org/en/Pages/DITC/Trade-Analysis/Non-Tariff-Measures/NTMs-Data.aspx>.

Respondents were asked to identify what measures taken by the Commission in recent years have improved the effectiveness of the MAS/MAP – in particular the shift in emphasis to the bottom-up approach focusing on cooperation with EU business to identify and prioritise market access barriers. Responses suggest **support for the bottom-up approach to barrier identification and prioritisation**, and a positive view of the extent to which there is coordination and cooperation with relevant committees and groups in the Commission and in other relevant organisations such as the WTO.

There is strong and effective linkage between the MAS and related deliberations and the WTO SPS and TBT committees, something that is supported through the work of the MAAC. The same is true with other WTO bodies albeit to a lesser extent as the WTO TBT and SPS committees have established deliberative working procedures that encourage and support WTO members tabling so-called specific trade concerns in regular meetings. This is not part of the operating modalities of other WTO committees (Wijkstrom, 2015). **Prospective meetings of the TBT and SPS committees appear regularly on the agenda of the MAAC** and there is a reverse flow of reporting back on these matters to the MAAC. The same applies to the WTO Trade Policy Review Mechanism. There appears to be less of a focus on utilising other WTO committees that deal with policies that restrict access to markets.¹⁹

The Market Access Working Groups (MAWGs) are another tool for coordination between sector and horizontal (MAAC) level. The MAWGs mostly centre on goods – textiles/leather; automotive; chemicals, etc. There are two MAWGs on services, but the lens through which these groups have looked at barriers is through transport of goods – courier and distribution services. Thus the focal point of deliberation in these two MAWGs reportedly has been more on the trade facilitation agenda as opposed to the removal of services-trade restricting measures. This is not to say there is not focus on services or that services industries are not satisfied – interviews with financial sector associations indicated broad support and satisfaction with the MAS/MAP and their ability to table barriers in the MAAC. As is the case with barrier identification, the coordinating roles played by the MAWGs is a bottom up process. If sectors that do not have a MAWG and feel the need to establish one to discuss technical matters related to market access barriers they confront in export markets they can request the Commission to establish one.

Resources. A factor identified by survey respondents as impeding the effectiveness of the MAS is a lack of coordination between EU member states and the EU institutions in identifying/allocating resources in a timely manner. There are different types of resources (constraints) that may apply. One is **staffing** and related financial capacity to travel as needed to participate in meetings and consult with stakeholders. This applies to the Commission, to member state officials and to business – all must have the required expertise to prepare files, undertake the required analysis, and the capacity to engage in MAP deliberations and to follow-up. Another pertains to **financial resources and access to expertise** to address the subset of market access barriers where the issue at hand is not policy but capacity in the importing country.

It is important to note that very limited resources are allocated to the MAS/MAP by the European Commission. Discussions with COM staff indicate that a total of 15-20 full-time equivalent staff years are allocated to the MAS/MAP by DG-Trade. This includes both staff based in Brussels and staff in European delegations based in third countries. This compares to 693 staff in DG Trade, including contract-employees (47) and 101 local staff, and to the overall staff level of the Commission at some 32,000. These figures speak for themselves. Although other parts of the Commission dealing with

¹⁹ Other relevant WTO bodies include committees dealing with import licensing, customs valuation, rules of origin, and trade-related investment measures, the Council for Trade in Services and the TRIPS Council.

trade policy, trade agreements and negotiations and the WTO also play a role in pursuing better market access, there would appear to be ample **scope to increase the level of resources allocated to the implementation of the MAS.**

Tools. As noted previously, **a variety of tools are in principle available** to resolve market access barriers. These range from letters to demarches, dialogue, technical assistance and capacity-building projects, the negotiation of new trade agreements, deepening of existing trade agreements, pushing for new rules in the WTO and invocation of WTO dispute settlement procedures. Survey responses suggest there is not a common view on whether the most appropriate tool is used to deal with a problem (half indicate that barriers yet to be removed could have been dealt with by a different strategy; the other half believe that the approaches pursued under the MAS are the appropriate ones). A similar split arises in response to the question whether the MAP is too much focused on “traditional” trade barriers as opposed to barriers related to e-commerce, services and digital trade.

It is beyond the scope of this paper to assess the adequacy and magnitude of development assistance and capacity-building resources that are available or allocated to improve the operation of trade-related institutions in third countries. Interviews suggest there is **scope for closer cooperation and integration of aid for trade programs and the MAS, especially in addressing barriers of a regulatory nature.** Interviewees suggested that in the area of SPS barriers such assistance is identified and used as a tool to address problems. Some sectors however indicated that much more could and should be done to provide partner countries with technical and financial assistance to improve the regulatory regime – in the process addressing at least some of the market access barriers that prevail.

The MADB and TIBR suggests **services sectors are under-represented** and interviews indicate that services sectors are less active participants in the MAS/MAP because they perceive the policies that restrain trade and investment to be less amenable to the type of engagement that is a key feature of the MAS approach. This may explain why there are relatively few services barriers listed in the MADB. A greater emphasis on regulatory cooperation and related technical assistance projects with partner countries could change this. More generally, raising awareness of services exporters and economic operators in other sectors that sell services abroad that the MAS/MAP is there for them could change matters, although interviews indicate that the major services industry associations at EU level are aware of the MAS.

4 Conclusions and recommendations

The MAS is a critical tool through which the EU seeks to work with third countries to prevent, remove and reduce market access barriers. The interviews, on-line survey responses and desk research highlight that there is **strong support among participants in the MAP for the MAS** and how it is being implemented. At the same time there is general recognition that realising the goals of the MAS confronts a number of challenges, both external and internal.

Two key findings emerge from the analysis. First, both the survey and interviews indicate that overall awareness among EU exporters of the MAS and MAP is not as high as it could be. **Many exporting firms are unaware of the mechanism.** Moreover, not all sectoral business associations make use of the MAS or participate in the MAP through EU-level sector bodies. This is not necessarily a problem insofar as these organisations perceive other approaches – including working through their national governments and diplomatic channels – are more effective. But the survey and interviews suggest lack of awareness may be a factor here as well.

Second, there is a (very) large difference between the number of market access barriers identified through the MAS/MAP and what is reported by external monitoring efforts in terms of protectionist trends and trade distorting actions that potentially affect EU exporters negatively. While it is understandable and appropriate that the Commission seeks to prioritise efforts to remove market access barriers in light of prevailing resource constraints, and to respond to concrete trade barriers that have been identified by EU businesses, the large discrepancy between what is captured in broader trade policy monitoring initiatives such as the Global Trade Alert and what is registered in the MADB – some 300 new trade distorting measures impacting on EU exports in 2016 vs. 36 reported in the MADB – raises the question **to what extent measures that may have an important negative effect on EU exports are being neglected.**

More should be done to increase awareness of the market access tools among EU exporters. The Commission has already made significant efforts to increase awareness of the MAS, including through the revamped TIBR and the success story factsheets documenting and personalising instances in which market access barriers have been removed. More effort should be devoted to **understanding whether the MADB is “missing” market access barriers that are important for the EU economy,** and if so, take action to increase the knowledge of EU business regarding measures that appear to be detrimental to their interests to assess if these should be taken up as part of the MAS. Linking the MADB to other databases with information on market access barriers can help in undertaking this exercise.

Greater use of quantitative indicators – such as the utilisation rate of EU trade agreements (Nilsson, 2016) – can supplement and support the process of identifying where there may be significant market access barriers that are not flagged in the MADB. Almost all respondents to the survey (90 percent) believe that it would be beneficial to include more **quantitative indicators to monitor whether partner countries discriminate against EU exports.** A majority (59 percent) support the view that more attention be given by the MAP to cross-cutting policies restricting many potential exporters and sectors as opposed to focusing on specific complaints and issues identified by EU exporters.

Recommendations

1. ***Encourage more detailed reporting by the Commission on the status of efforts to remove market access barriers.*** The primary goal of the MAS is to remove barriers to trade confronting EU economic operators. The MADB makes clear that the achievement of this goal is only partial. Reporting by the Commission on trade barriers emphasises new measures imposed on EU exporters and the successes that have been achieved in removing existing barriers. There is less focus on providing a public account of the efforts that have been applied to deal with the barriers that have been included in the MADB and the state of play on progress in resolving them. This makes it more difficult for the European Parliament to identify actions MEPs might take to help remove the barriers, such as engaging with national EU governments and foreign governments on these matters (see recommendations 3 and 4). Deliberations between the Commission and foreign governments may need to be kept confidential, but the European Parliament should monitor (be briefed on) the status of efforts to remove barriers to trade – especially those identified as “key” barriers in the MADB. Such briefings should include a focus on the salience of using dispute settlement provisions of the WTO and the use that is made of review mechanisms and committees changed with oversight of the implementation of trade agreements the EU has signed.
2. ***Commission an in-depth assessment of the salience of measures included in the MADB relative to those reported in broader monitoring initiatives.*** Global monitoring efforts such as the Global Trade Alert have identified measures that distort trade and that could negatively affect EU exports that are not easily mapped into the sector and country focus of the MADB. For example, there is only one subsidy measure listed in the MADB for China – subsidies benefitting the shipbuilding industry. Most of the barriers maintained by China listed in the MADB relate to product standards. It would appear that the coverage of measures implemented by China is quite partial. A similar observation can be made for other countries. Understanding better to what extent other measures have a more important effect on EU export interests and whether instruments are being used by the Commission and member states to address such measures is important. The discussion of the available data in this report is suggestive there is a gap, but it is not clear how big this gap is. A detailed analysis can also identify where efforts are needed to negotiate new or strengthen multilateral rules of the road on trade policy in the WTO and EU trade agreements.
3. ***Contribute to raising awareness of EU economic operators and other stakeholders of the MAS/MAP.*** This is not simply a matter of asking the Commission to do more. Improving awareness must be done at the national level and involve member state governments, including at the province/regional and municipal levels, and national legislatures. MEPs should be encouraged to engage more to raise the profile and disseminate information on the instruments that the EU has to deal with market access barriers when interacting with their national constituencies and parties, so as to encourage greater use and participation by national economic operators and communities with a stake in trade. This may be facilitated through tailored initiatives and briefings by the Commission or EU trade experts on the sectors, products and companies that are important for different regions within the EU and that have a stake in improving access to third country markets. Such greater engagement by MEPs may also be supported through tailored seminars to enhance the understanding of the various instruments that are available and their functioning and how they contribute to employment and economic activity in the EU.

4. ***Make market access a regular agenda item in the external engagement by MEPs with counterparts in third countries.*** MEPs can play a valuable role in indicating to counterparts the importance of trade between the EU and partner countries and the benefits for both sides of action to remove barriers to EU exports. This is a subject that is a priority for the parliamentarians of other major trading powers, notably the United States, who complement the efforts of the executive to open markets for their firms and the workers employed in them. While it was not in the remit of this study to assess the extent to which trade issues feature on the briefing materials and agenda of meetings between MEPs and third country counterparts, this is a channel that can support the efforts made by the Commission, business community and national representatives that are part of the MAP. Meeting with local market access teams to discuss the state of play can be used as an opportunity to assess as well the availability/effectiveness of alternative instruments such as technical development assistance to address specific market access barriers.
5. ***Work across standing committees to ensure coherence across policy instruments in promoting market access goals.*** Market access barriers are in part a reflection of specific administrative practices and policies in third countries that may not be designed to discriminate against EU exports and that may not be covered by the provisions of trade agreements. One potentially important instrument available to the EU is development assistance. Periodic assessments whether adequate attention and flexibility exists in the ability to use technical/financial assistance to remove market access barriers can support the realisation of the MAS objectives.
6. ***Increase the resource envelope available to the MAP for removing market access barriers and monitoring the implementation of trade agreements by partner countries.*** Overall, the magnitude of human and financial resources that are allocated by the Commission to the MAS/MAP is limited. Increasing the resources devoted to this dimension of the EU common commercial policy –including in country missions and delegations – is necessary for the MAS to become more effective.

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Annex 1: Market Access Strategy and partnership survey

(launched 12 September 2017)

1. How would you characterize yourself professionally?
 - a. Working for a private company [IF TICKED -> 2. AND 3.]
 - b. Government official [IF TICKED -> 5.]
 - c. Representing an EU-level industry/business/trade association [IF TICKED -> 7.]
 - d. Representing a National industry/business/trade association [IF TICKED -> 4.]
 - e. Working for an EU institution [IF TICKED -> 5.]

Next Only If a. To 1

2. Is it a small company (less than 100 employees).
 - a. Yes
 - b. No

Next Only If a. To 1

3. In which sector:
 - a. Agriculture
 - b. Agro-business
 - c. Manufacturing
 - d. Services

Next Only If c. or d. To 1

4. Does the association include or represent small firms:
 - a. Yes
 - b. No
5. Have you ever heard about the EU market access strategy (MAS) and associated market access partnership (MAP)?
 - a. Yes
 - b. No

SURVEY CONTINUES ONLY IF Yes to 5

6. Do you understand the goals of the MAS and how the MAP functions?
 - a. Yes
 - b. No

SURVEY CONTINUES ONLY IF Yes to 6

7. What is the main achievement of the MAP? (MORE THAN ONE RESPONSE IS OK)
 - a. It has contributed to reducing/removing barriers to EU exports
 - b. It has contributed to preventing the introduction of new barriers in export markets
 - c. It has contributed to greater transparency and better information on import procedures and trade policies that apply in partner countries
8. Are you aware of specific examples that you could document where the MAP addressed a trade barrier that was significant for your country, firm or industry?
 - a. Yes
 - b. No

Next Only If Yes To 8

9. Please describe what was achieved in a few words. If there are many examples, please indicate this as well. (OPEN ANSWER)
10. Has the MAP reduced the effects of increasing protectionist trends on EU economic operators?
 - a. To a significant extent
 - b. To a limited extent
 - c. Not at all

11. Does the effectiveness of the MAP in reducing trade barriers vary across geographical regions and partner countries?

- a. Yes
- b. No

Next Only If Yes To 11

12. Identify among the following geographical areas the one where you think the MAP has been more effective in removing barriers

- a. North Africa
- b. East Asia and Pacific
- c. Eastern Europe
- d. Central Asia
- e. Latin America
- f. Middle East
- g. Africa
- h. South Asia
- i. North America

13. Do you think that the size of a company have an impact on its knowledge and use of the tools available in the context of the MAP?

- a. Yes
- b. No

Next Only If Yes To 13

14. Are large firms more aware and better able to use the tools available in the context of the MAP?

- a. Yes
- b. No

15. Do you believe that the MAP is useful and relevant for EU based exporters?

- a. Yes
- b. No

Next Only If No To 15

16. Why? Because in general (MORE THAN ONE RESPONSE IS OK)

- a. firms are unaware of the MAP;
- b. firms are unaware of what constitutes a trade barrier;
- c. firms perceive that the process is too time-consuming or complex;
- d. firms do not expect the Commission to take action;
- e. firms are worried about retaliation.

17. Do you agree that industry and trade associations are the main source of information and complaints regarding trade barriers that are addressed by the MAP?

- a. Yes
- b. No

Next Only If Yes To 17

18. Should the MAP focus on making it easier for individual firms to provide the type of information that is needed to notify a complaint?

- a. Yes
- b. No

19. Please select among the following list what you think are factors impeding the effectiveness and success of the MAP? (MORE THAN ONE RESPONSE PERMITTED)

- a. lack of capacity of the EU staff to effectively pursue a complaint
- b. insufficient capacity or interest of Member States and their representative offices in partner countries to pursue efforts to remove trade barriers

- c. unwillingness by the EU Commission or a subset of Member States to confront partner country authorities with the adverse trade effects of a given policy
 - d. foreign policy or geopolitical concerns dominate market access considerations
 - e. lack of leverage to induce action by trading partners
 - f. lack of appropriate prioritization of barriers to be addressed
 - g. the trade barriers concerned appear to be permitted by the WTO or not covered by the applicable EU trade agreement
 - h. larger EU Member States operate through bilateral channels to pursue national priorities, not the MAP
 - i. EU Member State delegations do not cooperate with the EU delegation (market access teams)
 - j. insufficient financial and human resources are allocated by the European Commission to implementing the MAP
 - k. insufficient availability or administrative constraints confronting the MAP in accessing technical assistance resources to address weaknesses in partner country administration of its policies
 - l. inadequate coordination between Member States and the EU in identifying and allocating technical assistance resources in a timely manner
20. Please indicate those issues that you think the revised focus by the European Commission on addressing market access barriers – as reflected in the most recent Trade and Investment Barriers Report – will address. **(MORE THAN ONE RESPONSE PERMITTED)**
- a. lack of capacity of the EU staff to effectively pursue a complaint
 - b. insufficient capacity or interest of Member States and their representative offices in partner countries to pursue efforts to remove trade barriers
 - c. unwillingness by the EU Commission or a subset of Member States to confront partner country authorities with the adverse trade effects of a given policy
 - d. foreign policy or geopolitical concerns dominate market access considerations
 - e. lack of leverage to induce action by trading partners
 - f. lack of appropriate prioritization of barriers to be addressed
 - g. the trade barriers concerned appear to be permitted by the WTO or not covered by the applicable EU trade agreement
 - h. larger EU Member States operate through bilateral channels to pursue national priorities, not the MAP
 - i. EU Member State delegations do not cooperate with the EU delegation (market access teams)
 - j. insufficient financial and human resources are allocated by the European Commission to implementing the MAP
 - k. insufficient availability or administrative constraints confronting the MAP in accessing technical assistance resources to address weaknesses in partner country administration of its policies
 - l. inadequate coordination between Member States and the EU in identifying and allocating technical assistance resources in a timely manner
21. Please indicate those issues that you think the greater focus on implementation of EU trade agreements in the new 'enhanced market access partnership' will contribute to address. **(MORE THAN ONE RESPONSE IS OK)**
- a. lack of capacity of the EU staff to effectively pursue a complaint
 - b. insufficient capacity or interest of Member States and their representative offices in partner countries to pursue efforts to remove trade barriers
 - c. unwillingness by the EU Commission or a subset of Member States to confront partner country authorities with the adverse trade effects of a given policy
 - d. foreign policy or geopolitical concerns dominate market access considerations
 - e. lack of leverage to induce action by trading partners
 - f. lack of appropriate prioritization of barriers to be addressed

- g. the trade barriers concerned appear to be permitted by the WTO or not covered by the applicable EU trade agreement
 - h. larger EU Member States operate through bilateral channels to pursue national priorities, not the MAP
 - i. EU Member State delegations do not cooperate with the EU delegation (market access teams)
 - j. insufficient financial and human resources are allocated by the European Commission to implementing the MAP
 - k. insufficient availability or administrative constraints confronting the MAP in accessing technical assistance resources to address weaknesses in partner country administration of its policies
 - l. inadequate coordination between Member States and the EU in identifying and allocating technical assistance resources in a timely manner
22. Does the MAP feed into the agenda of the committees responsible for monitoring the implementation of EU trade agreements?
- a. Yes
 - b. No
- Next Only If Yes To 22
23. Do the trade agreement implementation committees help resolve barriers identified by the MAP?
- a. Yes
 - b. No
24. Should there be a greater focus on market access issues by the European Parliament and by the Members of the European Parliament (MEPs) in their interactions with their constituencies?
- a. Yes
 - b. No
25. Do you think the European Parliament should play a greater role in supporting the activities of the MAP through regular interaction on market access issues with counterpart bodies in partner countries?
- a. Yes
 - b. No
26. All in all, do you think the MAP has become more effective in opening export markets for EU firms in the last 5 years?
- a. Yes
 - b. No
27. What do you think is the most useful communication tool to raise awareness among stakeholders in Member States of the Market Access Strategy and related tools and activities?
- a. The Trade and Investment Barriers Report
 - b. Market Access Newsletter
 - c. Market Access Flash Note
 - d. National "market access" days in Member States
 - e. The Market Access Database and website
 - f. Monitoring Reports identifying potentially trade restrictive measures
28. Do you think that the barriers that are identified in the Market Access Database that have yet to be removed could have been dealt with by a different strategy?
- a. Yes
 - b. No
29. Do you think the MAP is too much focused on traditional trade barriers and is insufficiently emphasizing barriers related to e-commerce, services and digital trade?
- a. Yes
 - b. No

30. Would it be beneficial to include more quantitative indicators to monitor whether partner countries discriminate against EU exports?
 - a. Yes
 - b. No
31. Should more attention be given by the MAP for broad policies restricting many potential exporters and sectors as opposed to focusing on specific complaints and issues identified by EU exporters?
 - a. Yes
 - b. No
32. Given the rising trend in protectionism should there be a greater emphasis to increase the focus by the European Union on identifying and removing barriers to trade and investment?
 - a. Yes
 - b. No

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